

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES MCDONALD, ) No. C10-1952RSL  
Plaintiff, )  
v. ) ORDER DENYING ONEWEST'S  
ONEWEST BANK, FSB, *et al.*, ) MOTION FOR PROTECTIVE ORDER  
Defendants. )

This matter comes before the Court on “Defendant OneWest Bank, FSB’s Motion for Protective Order.” Dkt. # 217. OneWest has refused to turn over four documents because “they contain or reflect sensitive and proprietary information about OneWest’s business practices, its communications with loan investors, and the technology used to generate and preserve loan information regarding loans it services.” Dkt. # 217 at 3.

OneWest has not identified or described three of the four documents, making it impossible to evaluate its bald claim of “sensitive and proprietary information.” The one document described in the motion apparently evidences the transfer of servicing rights from IndyMac to OneWest. The terms of the servicing relationship are publicly available, however, and there is no reason to suspect that evidence regarding the transfer of the servicing rights to plaintiff’s loan need be protected from public view. To the extent defendant’s motion relies on the vague assertion that its computer systems are proprietary, Mr. Boyle testified at the January

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1       31, 2013, hearing that OneWest's servicing platforms and applications were maintained to allow  
2 continuity throughout servicing of the loans, suggesting that, far from being proprietary, these  
3 systems were generally uniform to allow ease of transfer.

4                  OneWest has not shown that a protective order is appropriate under Fed. R. Civ. P.  
5 26(c). The motion for a protective order is DENIED. If they have not already done so,  
6 OneWest shall overnight the documents to plaintiff's counsel immediately.

7                  Dated this 7th day of March, 2013.

8                  Robert S. Lasnik

9                  Robert S. Lasnik  
10                  United States District Judge